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## CLAIM AMENDMENTS:

Please amend the claims as follows:

1. (Currently Amended): A method of operating a plurality of disks comprising: selecting units of data storage;
allocating the disks between [fan active]] a powered on group and [fan inactive]

allocating the disks between [[an active]] a powered on group and [[an inactive]] a powered off group;

allocating units of data storage having a usage factor that meets a condition limit to the [[active]] powered on group;

allocating units of data storage having a usage factor not meeting the condition limit to the [[inactive]] powered off group; and

selectively reallocating disk between the [[active]] <u>powered off group</u> and the [[inactive]] <u>powered off group</u> based upon a disk use parameter.

- 2. (Currently Amended): The method of claim 1 further comprising classifying the disks into a plurality of disk groups, including said [[active]] powered on group and said [[inactive]] powered off group.
- 3. (Currently Amended): The method of claim 2 wherein the classifying the disks into a plurality of disk groups comprises assigning each disk to the [[active]] powered on group based on required performance, power consumption, and desire to reduce and balance the wear within the disk groups.
- 4. (Original): The method of claim I wherein determining the usage factor comprises determining a unit access parameter.
- 5. (Original): The method of claim 4 wherein the access parameter comprises file popularity.

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- 6. (Original): The method of claim 1 wherein the usage factor classifies each unit based on whether the unit meets a conditional limit.
- 7. (Original): The method of claim 6 wherein a total storage requirement is computed for each unit that meets the condition limit.
- 8. (Currently Amended): The method of claim 7 wherein the [[active]] powered on group is determined based on the condition limit and the total storage requirement.
- 9. (Original): The method of claim 1 wherein the condition limit is determined based on the usage factors.
- 10. (Currently Amended): The method of claim 1 wherein each unit meeting the condition limit is allocated evenly among the [[active]] powered on group.
- 11. (Currently Amended): The method of claim 1 wherein each unit not meeting the condition limit are allocated evenly among the [[inactive]] powered off group.
- 12. (Original): The method of claim 1 wherein allocating each unit comprises assigning and storing the unit.
- 13. (Currently Amended): The method of claim 12 further comprising transferring units between the [[active]] <u>powered on and [[inactive]] powered off disk groups</u> whenever disks are reallocated between the two groups.
- (Currently Amended): The method of claim 12 further comprising periodically reassigning of disks into one of the [[active]] powered on group or [[inactive]] powered off group.

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15. (Original): The method of claim 14 wherein the periodic reassignment is based on required performance, power consumption, and desire to reduce and balance the wear within the disk groups.

- 16. (Previously presented): The method of claim 1 further comprising controlling a duty cycle by controlling starting and stopping of the disks.
- 17. (Currently Amended): A computer usable medium including a program for operating a plurality of disks comprising:

computer readable program code for selecting units of data storage; computer readable program code for allocating the disks between [[an active]] a powered on group and [[an inactive]] a powered off group;

computer readable program code for allocating units of data storage having a usage factor that meets a condition limit to the [[active]] powered on group;

computer readable program code for allocating units of data storage having a usage factor not meeting the condition limit to the [[inactive]] powered off group; and computer readable program code for selectively reallocating disk between the [[active]] powered on group and the [[inactive]] powered off group based upon a disk use parameter.

18. (Currently Amended): The computer usable medium of claim 17 further comprising classifying the disks into a plurality of disk groups, including said [[active]] powered on group and said [[inactive]] powered off group.

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19. (Currently Amended): The computer usable medium of claim 18 wherein the classifying the disks into a plurality of disk groups comprises assigning each disk to the [[active]] powered on group based on required performance, power consumption, and desire to reduce and balance the wear within the disk groups.

- 20. (Original): The computer usable medium of claim 17 wherein determining the usage factor comprises determining a unit access parameter.
- 21. (Original): The computer usable medium of claim 20 wherein the access parameter comprises file popularity.
- 22. (Original): The computer usable medium of claim 17 wherein the usage factor classifies each unit based on whether the unit meets a conditional limit.
- 23. (Original): The computer usable medium of claim 22 wherein a total storage requirement is computed for each unit that meets the condition limit.
- 24. (Currently Amended): The computer usable medium of claim 23 wherein the [[active]] powered on group is determined based on the condition limit and the total storage requirement.
- 25. (Original): The computer usable medium of claim 17 wherein the condition limit is determined based on the usage factors.
- 26. (Currently Amended): The computer usable medium of claim 17 wherein each unit meeting the condition limit is allocated evenly among the [[active]] powered on group.

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- 27. (Currently Amended): The computer usable medium of claim 17 wherein each unit not meeting the condition limit are allocated evenly among the [[inactive]] powered off group.
- 28. (Original): The computer usable medium of claim 17 wherein allocating each unit comprises assigning and storing the unit.
- 29. (Currently Amended): The computer usable medium of claim 28 further comprising transferring units between the [[active]] <u>powered on and [[inactive]] powered off</u> disk groups whenever disks are reallocated between the two groups.
- 30. (Currently Amended): The computer usable medium of claim 28 further comprising periodically reassigning of disks into one of the [[active]] <u>powered on group or [[inactive]] powered off group.</u>
- 31. (Original): The computer usable medium of claim 30 wherein the periodic reassignment is based on required performance, power consumption, and desire to reduce and balance the wear within the disk groups.
- 32. (Previously presented): The computer usable medium of claim 17 further comprising controlling a duty cycle by controlling starting and stopping of the disks.

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 (Currently Amended): A system for operating disks having files comprising: means for selecting units of data storage;

means for allocating the disks between [[an active]] a powered on group and [[an inactive]] a powered off group;

means for allocating units of data storage having a usage factor that meets a condition limit to the [[active]] powered on group;

means for allocating units of data storage having a usage factor not meeting the condition limit to the [[inactive]] powered off group; and

means for selectively reallocating disk between the [[active]] <u>powered on group</u> and the [[inactive]] <u>powered off group based upon a disk use parameter.</u>